IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION NO : 4204 of 1999

Between:

Chekuri Srinivasa Raju, S/o Venkata Subba Raju,
R/o Chilukuru Village, Undi Mandal,
West Godavari District.

..... PETITIONER

AND

1 The District Forest Officer,
West Godavari District at Eluru.
2 The Revenue Divisional Officer,
Narsapur, West Godavari District.
3 The Mandal Revenue Officer,
Undi Mandal, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or any appropriate writ more in the nature of Writ of Mandamus declaring the action of the respondents in interfering with petitioner's lawful activities in respect of lands in R.S.No.426/3, 427/3 and 429 and bore wells existing therein measuring about Ac.12.00 from conducting fishing culture in the above said lands as illegal, arbitrary and violative of principles of natural justice and for a consequential order directing the respondents to drop all further proceedings in respect of the above said lands and bore wells.

Counsel for the Petitioner: MR.CH.DHANAMJAYA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

The Writ Petition is filed assailing the alleged action of the respondents in interfering with the lawful activities and fishing culture, of the petitioner in the lands in R.S. No.426/3, 427/3 and 429 admeasuring Ac.12.00, of Chilukuru village, Ukndi mandal, West Godavari district. While admitting the Writ Petition, as per the order in W.P.M.P. No. 5273 of 1999, this Court granted following interim direction on 03.03.1999.

> "There shall be interim direction provided the area falls beyond the notified area under the Wild Life Protection Act and the C.R.Z. area notified under the Government pending further orders. However, it is open for the respondents to take appropriate steps if any such activity is carried out within the area covered by the Wild Life Protection Act or C.R.Z. Area."

Though this matter has been pending since 1999, the respondents have not chosen to file counter. In the circumstances, it would meet in the interest of justice to make the interim order passed by this Court on 03.03.1999 as final order.

The Writ Petition is, accordingly, disposed of. The interim order dated 03.03.1999 passed by this Court in W.P.M.P. No. 5273 of 1999 is made final order. No costs.

09.06.2005

DRK

Copy to:

1 The District Forest Officer, West Godavari District at Eluru.
2 The Revenue Divisional Officer, Narsapur, West Godavari District.
3 The Mandal Revenue Officer, Undi Mandal, West Godavari District.

3 Two CCs to the G.P. for Revenue, High Court of A.P., High Court buildings, Hyderabad (o.u.t.).

4 Two CD copies.